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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/332,298	06/11/1999	YASUSHI ABE	31812	2750

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EXAMINER
NGUYEN, NAM V

ART UNIT	PAPER NUMBER
2635	

DATE MAILED: 04/16/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/332,298	Applicant(s) ABE, YASUSHI	
	Examiner Nam V Nguyen	Art Unit 2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *6/11/99* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

The application of Abe for a "radio paging receiver and message erasing method" filed June 11, 1999 has been examined. This application claims foreign priority based on the application 10-192338 filed June 24, 1998 in Japan. Receipt is acknowledged of papers submitted under 35 U.S.C 119(a) – (d), which papers have been placed of record in the file. A preliminary amendment to the claims have been entered and made of record. Claims 1-29 are pending.

Drawings

This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

The drawings are objected to because S27 in Figure 2, "Tiemr" is a misspell word of "timer" and 1211 in Figure 12 "scedule" is a misspell word of "schedule".

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the transmitter in claim 29 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 29 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent must refer to other claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claim ~~12~~ 29 has not been further treated on the merits.

4/15/02

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4, 7-8, 10, 15-18, and 21-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Vanden Heuvel et al. (US# 5,426,424).

Referring to claims 1, 15-16 and 21, Vanden Heuvel et al. disclose a selective call receiver with database capability as claimed in 1, 11 and 15. See Figure 1 and respective portions of the system specification.

Vanden Heuvel et al. show a radio paging reciver (100) comprising:

Receiving means (103) for receiving a radio signal from a base station of a radio paging system (column 1 lines 11 to 15);

Holding means (109) for holding at least of calling address assigned to own receiver (column 4 lines 26 to 33);

First decoding means (111) for picking up message data corresponding to the calling address or the calling addresses from the radio signal (column 4 lines 48 to 52);

Data storing means (115) for storing the message data (column 4 lines 48 to 52);

Character sequence designating means (301) for designating character sequences in stored messages (column 5 lines 60 to 63);

Character sequence retrieving means (302) for detecting whether or not designated character sequences are contained in stored messages (column 4 lines 63 to 66);

Time counting means (113) for monitoring whether or not a predetermined time has lapsed after the messages are stored;

Erasing means (905 in Figure 9) for erasing the stored messages from a storage area (column 9 lines 65 to 68); and

First controlling means (116) for causing the erasing means (401) to erase concerned messages when it is detected by the character sequence retrieving means (column 6 lines 41 to 45) that the designated character sequences (301) are contained in the stored messages (column 6 lines 45 to 53) and it is detected by the time counting means (113) that the predetermined time has lapsed after the messages are stored (column 4 lines 36 to 46).

Referring to claims 2 and 22, Vanden Heuvel et al. disclose a radio paging receiver according to claim 1, further comprising a character sequence inputting means (503 in Figure 5 or 6) for inputting character sequences which are retrieved to erase message (column 6 lines 59 to 65).

Referring to claims 3, 16-17 and 23, Vanden Heuvel et al. disclose a radio paging receiver according to claim 1, further comprising:

Address associated storing means (601) for storing the message data picked up by the first decoding means every calling address (column 8 line 68 to column 9 line 5);

Address setting means (701) for designating the calling addresses as objects of erasure by time counting (column 9 lines 21 to 36); and

Second controlling means (120) for causing the erasing means to erase the messages based on signals from the address setting means and the time counting means (column 5 lines 19 to 27).

Referring to claim 7, Vanden Heuvel et al. disclose a radio paging receiver according to claim 1, further comprising received character sequence retrieving means (1302 in Figure 13) for detecting whether or not designated character sequences are contained in received messages (column 11 lines 54 to 65).

Referring to claims 4, 10, 18 and 24, Vanden Heuvel et al. disclose a radio paging receiver according to claim 1, 7, 15 and 21, further comprising:

Second and third decoding means (111) for picking up message data which are classified into a hierarchical structure and transmitted to own address (column 5 lines 49 to 54);

Hierarchy associated storing means for storing the message data which are picked up by the second and third decoding means every hierarchy (column 1 lines 44 to 52); and

Wherein erasure of the message is effected by the hierarchy setting means and the time counting means (column 6 lines 45 to 53).

Referring to claim 8, Vanden Heuvel et al. disclose a radio paging receiver according to claim 7, further comprising character sequence inputting means for inputting character sequences which are retrieved to erase messages (column 12 line 65 to column 12 line 4.)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5-6, 9, 11-14, 19-20 and 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vanden Heuvel et al. (US# 5426,424) as applied to claims 1-4, 7, 15-18 above, and further in view of Murai (US# 5,239,679.)

Referring to claims 5-6, 9 and 19-20, Vanden Heuvel et al. disclose a radio paging receiver according to any one of claims 1 to 4. However, Vanden Heuvel did not clearly disclose further comprising: time setting means for inputting times as timings for erasure of the messages by a user; and time monitoring means for monitoring whether or not a time coincides with an input times; wherein the erasure of the messages is effected periodically at respective times which are input by the user.

In the same field of endeavor of selective call receiver, Murai teaches that time setting means (12) and day-of-the-week means for inputting times as timings for erasure of the messages by a user (column 5 lines 11 to 15); and

time monitoring means and day-of-the-week means for monitoring whether or not a time coincides with an input times (column 3 lines 12 to 19);

Wherein the erasure of the messages is effected periodically at respective times which are input by the user (column 3 lines 20 to 27) for the purpose of erasing the stored messages which

are several weeks old in memory and display only the current new messages (column 2 lines 24 to 37).

One skill in the art would have recognized the need to modify the timer and time setting circuit of Murai to the selective call receiver of Vanden Heuvel et al. because Vanden Heuvel et al. suggests that the need to modify a time that set by a user to delete old messages in the memory is so desired and Murai teaches that the time measured by the timer circuit becomes identical to the message-erasing timing set by operating the input section, the message-erasing circuit automatically erases the message stored in said memory circuit (abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify the timer circuit of Murai into the selective call receiver of Vanden Heuvel et al. with the motivation being to provide a selective call receiver capable of erasing the messages at programmable intervals that is set by users.

Referring to claims 11-14 and 25-28, Vanden Heuvel et al. disclose a radio paging receiver according to any one of claims 1 to 6. However, Vanden Heuvel did not clearly disclose wherein the messages are erased collectively concerned messages.

In the same field of endeavor of selective call receiver, Murai teaches that the messages are erased collectively concerned messages (column 3 lines 43 to 55) for the purpose of erasing the selectively stored messages.

One skill in the art would have recognized the need to modify the way to erase the messages in memory selectively by using the input section of Murai to the selective call receiver of Vanden Heuvel et al. because Vanden Heuvel et al. suggests that the need to erase the

messages in memory selectively is so desired and Murai teaches that pager holder has preset the message-erasing time of "00:00," all message codes stored in the message memory, except for those containing a data-preserving flag, are automatically erased at the preset message-erasing time (column 10 lines 21 to 29). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify the way to erase the messages in memory selectively by using the input section of Murai into the selective call receiver of Vanden Heuvel et al. with the motivation that a selective call receiver capable of erasing the collectively concerned messages of the user choice and providing the memory has more space to store other messages.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wada (US# 6,343,219) discloses a method and device for erasing message from wireless communication device having a paging function.

Narusawa (US# 6,272,319) discloses a radio selective calling receiver.

Helferich (US# 6,259,892) discloses a pager transceiver and methods for performing action on information at desired times.

Kawashima (US# 6,201,959) discloses a radio selective call receiver and method for storing received message.

Yamazaki (US# 6,124,801) discloses a radio selective calling receiver and calling method.

Katagiri (US# 6,058,290) discloses a paging receiver with selective erasure of stored received messages.

Shima (US# 5,973,615) discloses a display pager having message finder responsive to user-entered time indication.

Kudoh et al. (US# 5,726,642) disclose a selective calling radio receiver having a non-read message alarm function.

Bennett et al. (US# 5,455,579) disclose a digitized stored voice paging receiver.

Miyashita et al. (US# 5,140,561) disclose a method for erasing information stored in radio pager.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 703-305-3867. The examiner can normally be reached on Mon-Fri, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703-305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nam Nguyen
April 11, 2002

MICHAEL HORABIK
SUPERVISORY PATENT EXAMINER
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